

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

APPARATUS AND METHOD FOR SEALING AND CUTTING TISSUE

the specification of which (check only one item below):

☒ is attached hereto

☐ was filed as United States application

Serial No. _____

on _____

and was amended

on _____ (if applicable).

☐ was filed as PCT international application

Number _____

on _____

and was amended under PCT Article 19

on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:			
COUNTRY (IF PCT INDICATE "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY
(Includes Reference to PCT International Applications) Page 2 of 3

Docket Number
PC9373ALP

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U. S. APPLICATIONS			STATUS (CHECK ONE)		
U.S. APPLICATION NO.	U. S. FILING DATE		PATENTED	PENDING	ABANDONED

PCT APPLICATIONS DESIGNATING THE U.S.			PATENTED	PENDING	ABANDONED
PCT APPLICATION NUMBER	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)			

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

SEE ATTACHED LIST

Send Correspondence to:

Dr. Peter C. Richardson,
PFIZER INC, 235 East 42nd Street,
New York, NY 10017-5755, U.S.A.

Direct Telephone Calls To:

Aaron Passman (303) 581-6614

201	FULL NAME OF INVENTOR	RYAN	THOMAS	PATRICK
	RESIDENCE & CITIZENSHIP	FORT COLLINS	COLORADO	UNITED STATES OF AMERICA
	POST OFFICE ADDRESS	729 PARKVIEW DRIVE	FORT COLLINS	COLORADO/80525/U.S.A.
202	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE/ZIP CODE/COUNTRY
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE/ZIP CODE/COUNTRY
204	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE/ZIP CODE/COUNTRY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR (201) <i>Thomas Patrick Ryan</i>	SIGNATURE OF INVENTOR (202)	SIGNATURE OF INVENTOR (203)
DATE 08 SEP 97	DATE	DATE
SIGNATURE OF INVENTOR (204)	SIGNATURE OF INVENTOR (205)	SIGNATURE OF INVENTOR (206)
DATE	DATE	DATE
SIGNATURE OF INVENTOR (207)	SIGNATURE OF INVENTOR (208)	SIGNATURE OF INVENTOR (209)
DATE	DATE	DATE

POWER OF ATTORNEY (CONTINUED)

PETER C. RICHARDSON, Reg. No. 27,526; MICHAEL J. PANTULIANO, Reg. No. 18,971; ALLEN J. SPIEGEL, Reg. No. 25,749; AARON PASSMAN, Reg. No. 26,783; GEZINA HOLTRUST, Reg. No. 28,222; J. TREVOR LUMB, Reg. No. 28,567; LAWRENCE C. AKERS, Reg. No. 28,587; RAYMOND W. AUGUSTIN, Reg. No. 28,588; SEYMOUR G. BEKELNITZKY, Reg. No. 28,589; PAUL H. GINSBURG, Reg. No. 28,718; MARK DRYER, Reg. No. 28,775; ELIZABETH O. SLADE, Reg. No. 29,011; JOHN L. LAPIERRE, Reg. No. 29,185; ERIC M. LEE, Reg. No. 30,471; JAMES T. JONES, Reg. No. 30,561; GREGG C. BENSON, Reg. No. 30,997; A. DEAN OLSON, Reg. No. 31,185; ROBERT F. SHEYKA, Reg. No. 31,304; HOWARD R. JAEGER, Reg. No. 31,376; GROVER F. FULLER, JR., Reg. No. 31,760; MERVIN E. BROKKE, Reg. No. 32,723; KAREN DEBENEDICTIS, Reg. No. 32,977; VALERIE M. FEDOWICH, Reg. No. 33,688; PHILIP C. STRASSBURGER, Reg. No. 34,258; BRYAN C. ZIELINSKI, Reg. No. 34,462; ROBERT T. RONA, Reg. No. 36,257; and GARTH BUTTERFIELD, Reg. No. 36,997.

ASSIGNMENT

For valuable consideration, the receipt and adequacy of which is hereby acknowledged,
I, Thomas Patrick Ryan, of 729 Parkview Drive, Fort Collins, Larimer, CO, U.S.A.

(Street) (City) (County) (State/Country)

hereby sell, assign and transfer unto **VALLEYLAB INC**, a corporation organized and existing under the laws of the State of Colorado and having a place of business at 5920 Longbow Drive, Boulder, Colorado, the entire right, title and interest in and to my application for Letters Patent of the United States, executed the 8th day of September, 1997, entitled **APPARATUS AND METHOD FOR SEALING AND CUTTING TISSUE** and my entire right, title and interest in and to all my inventions, whether joint or sole, disclosed in said application for Letters Patent, and in and to all applications filed for Letters Patent for any of said inventions in any country, and in and to all patents granted on the foregoing applications, and I hereby agree, whenever requested, to communicate to said assignee, its successors and assigns, any facts known to me respecting said inventions, to testify in any legal proceeding, and to execute all applications or papers necessary to obtain and maintain proper patent protection on said inventions in all countries.

Signed and witnessed this 08 day of SEPT., 1997 at Boulder, Colorado
(City, State)

Thomas Patrick Ryan
Thomas Patrick Ryan

In the presence of:

Mary Jo Milacek
(Witness as to Applicant)

Mary Jo Milacek
(Typed or Printed Name of Witness)

TRADEMARK AND PATENT ASSIGNMENT

WHEREAS, ValleyLab, Inc. ("ValleyLab") a Colorado corporation having a place of business at 1675 Broadway, Denver, Colorado, 80202, is the owner of certain trademarks and service marks in various countries throughout the world, including but not limited to those identified in the attached Schedule A (the "Marks"), all registrations or registration applications of the Marks, and the goodwill represented by the Marks, and of certain patents and patent schedules identified in the attached Schedule A (the "Patents");

WHEREAS, Sherwood Services AG ("Sherwood"), a Swiss corporation having a place of business at Alpenstrasse 1, 6300 Zug, Switzerland, is desirous of acquiring the Marks and the Patents, all registrations and registration applications thereof, and the goodwill represented by the Marks and the Patents;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, ValleyLab hereby assigns to Sherwood, all right, title and interest in and to the Marks and the Patents, all registrations and registration applications thereof, and the goodwill represented by the Marks; together with the right to sue and to collect damages for past infringements of the Marks and the Patents.

IN WITNESS WHEREOF, ValleyLab has caused this assignment to be executed by its duly authorized officer on the date indicated below.

VALLEYLAB, INC.

Dated as of October 1, 1998

By:



Its:

Secretary